

PRICE ONE CENT.

NEW YORK, MONDAY, JUNE 12, 1893.

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Saturday and Sunday--World's House and Home Days.

LAST EDITION

EIGHT PAGES.

OSMOND KILLED.

The Double Murderer Executed at Sing Sing This Morning.

CURRENT TURNED ON AT 11.41

Electricity Permitted to Run Through the Body for Forty Seconds.

HIS COURAGE BARELY LASTED.

He Died with the Word "Save" on His Trembling Lips.

SING SING, N. Y., June 12.—John Lewis Osmond, the first murderer to be executed by electricity for a double homicide, was shocked to death in the execution chamber at Sing Sing prison this morning.



JOHN L. OSMOND.

The killing was one of the most successful from a humanitarian, as well as a scientific point of view, that has yet been done under the New York State law.

This was the universal testimony of the witnesses, most of whom were physicians and newspaper men, the majority of the latter having witnessed several similar scenes.

The official time of Osmond's death was 11.41, when the deadly current of a burn being visible. To-day the intermediate was omitted. The voltage was reduced instantly from 175 to 150, and although the duration of the shock was several seconds less than that which killed Harris, the execution was even more successful.

Not a burn nor a scar was to be seen when the head and leg electrodes were removed.

On the chest a purplish color was visible, due to the rush of blood to the lungs, caused by the failure to unbutton the subject's shirt collar in the back. This caused the neck to swell abnormally, but occasioned no pain to the victim.

It was just 11.45 when Warden Durston escorted the witnesses downstairs to State Detective Jackson's office.

At 11.55 the march to the death chamber was begun. On their arrival in the death-house those witnesses who had never witnessed an execution were given an opportunity to examine the switchboard, and Electrician Davis illustrated the modus operandi by placing a set of incandescent lamps in the death chair in place of the subject.

The wires were attached and instantly there was a dazzling glow in the chair which was soon to contain a life that was to be snuffed out as instantaneously as the electric lights had been illuminated.

At 11.40 the door from the cell house opened and Osmond, pale, but calm and collected, emerged, preceded by Principal Keeper Connaughton, guarded on each side by a burly keeper, and followed by his faithful spiritual adviser, Father Creeden, who whispered in his ear the Catholic litany of the dying, to which the doomed man earnestly responded.

Quicker than it takes to write this, the condemned was strapped in the chair of death by the attendants. Then

It became noticeable that he was very nervous. Father Creeden perceived this, and bending over the chair whispered a last consoling exhortation in his ear. Instantly the poor wretch's face lighted up. "Save us! oh, Lord!" he murmured repeatedly.

At the third utterance there was a quick, downward motion by Electrician Davis at the switchboard.

"Save!" gasped the lips of the man launched into eternity.

The exclamation was extinguished with the life.

Osmond's form stiffened against the straps. His right hand firmly clasped the arm of the chair. His left clenched the rosary given him by Father Creeden.

To his inexperienced it seemed like an age before the deadly current was turned on, although in reality it was but forty seconds.

With a noise that sounded like a deep-drawn sigh, but which was merely the rushing of air from the lungs, the body sank back limp and lifeless.

The wife-murderer and slayer of his friend was dead.

Immediately the autopsy was begun. It disclosed the fact that death was instantaneous, and that the victim's organs were in a normal condition.

While the scientific work was being conducted by Dr. Sheehan and Dr. L. A. O'Sullivan, an undertaker drove up to the prison with a coffin to take Osmond's body to New York, where it will be buried to-morrow.

The witnesses at the execution were F. S. Decker, Sheriff of Greene County; Dr. F. A. Charles, of Catskill, N. Y.; J. Sumner Burnstien, Yonkers, N. Y.; Dr. William K. Mattern, Philadelphia; Victor Speer, New York; M. F. Ihmsen, New York; "The Evening World" representative; Dr. Robert M. Dawson, New York; Dr. W. J. O'Sullivan, counselor for Murderer Buchanan; Dr. William B. Briggs, Jellip, L. I.; George E. Somers, Sheriff of New Haven County, Conn.; Dr. George L. Beardsley, Birmingham, Conn.; Dr. B. F. Sheehan, Sing Sing, N. Y.; A. C. Haeseborth, Nyack, N. Y.; Arthur Greaves, New York; Dr. E. O. Mitchell, Newburg, N. Y.; Dr. Frank Clark, New York; Dr. C. P. Kirley, Louisville, N. Y.

HIS LAST NIGHT.

He Slept Calmly and Arose Apparently Unconcerned.

SING SING, N. Y., June 12.—Although John Lewis Osmond knew he was to die in the electric chair to-day, he was apparently less concerned when Principal Keeper Connaughton visited him in his cell, immediately after the prison was opened at 6.30 this morning, than the Principal Keeper himself.

Osmond's last night was spent quietly and peacefully. He ate a hearty dinner yesterday after his final interview with his two brothers, who came up from New York to see him, and retired early.

He slept soundly all night, as if the morning was to bring him happiness instead of the ignominious death of the murderer.

Principal Keeper Connaughton says that Osmond has been a model death-house prisoner and exceedingly game. So far as known to the prison officials he has made no confession, but it is probable that he will make one to-morrow.

Augustine's Roman Catholic Church, for absolution and administered the last sacraments.

There is no possibility for Osmond to be buried in consecrated ground. His brothers said they would claim his body and take it to New York.

Osmond ordered a hearty breakfast this morning, and shortly after 8 o'clock Father Creeden arrived, to remain with Osmond to the end.

The electric apparatus for the killing of Osmond was the same as that used in the execution of Carlisle W. Harris, the wife-murderer.

State Electrician Davis was one of the men who tested the machinery of death.

OSMOND'S CRIME.

He Murdered His Wife and His Former Friend, Burchell.

The crime for which John Lewis Osmond was condemned to death was the double murder of his wife, Mary Murphy Osmond, and his old friend, John C. Burchell, of whom he was insanely jealous.

Osmond married Mary Murphy in 1884. In 1886 Mrs. Osmond, when Mrs. Eliza Tushong, of the Third avenue, died, leaving all her property, money and furniture to her adopted son, Burchell, with the exception of the sum of \$100, which she left to him.

Osmond soon grew jealous of his wife, and besides repeatedly accusing her of infidelity, as her relatives insist, with no cause whatever, frequently beat her cruelly. He refused to have anything more to do with him, and he finally left her still living at Bellevue Hospital three days later.

He tried to persuade her to leave Burchell and again live with him, but she refused. He then turned to Burchell, and on the night of Saturday, Oct. 3, 1891, Osmond shot and instantly killed his wife and his friend. He then turned to Burchell, and on the night of Saturday, Oct. 3, 1891, Osmond shot and instantly killed his wife and his friend.

A POINT FOR LIZZIE.

Her Testimony at the Inquest Is to Be Excluded.

Borden Case Lawyers Spend the Morning Arguing the Point.

The Prisoner Taken Suddenly Ill and Has to Leave the Court.

NEW BEDFORD, Mass., June 12.—Over one-half of the spectators in court this morning were women, and the second week of the Borden trial opens with the appearance of increased interest in the uncertainties of the case as unfolded. The indications of a severe struggle over the admission of the stenographic notes of Miss Borden's testimony at the inquest were plentiful this morning in the piles of books containing authorities to be cited pro and con.

A few moments before court opened counsel on both sides were summoned into the private room of the presiding justice for consultation. Miss Borden came into court at 8.50 and took her seat within the bar looking somewhat dragged, and in answer to an inquiry from ex-Gov. Robinson as to her rest last night her words and manner indicated that she did not pass a pleasant night.

The consultation lasted twenty minutes. After court was opened and the jury sworn the officers were directed by the court to retire the jury until they were sent for, pending the arguments to follow.

Lizzie's Testimony at the Inquest.

Mr. Moody then addressed the court, saying he understood the discussion now to be opened was that of the admissibility of Miss Borden's evidence. He said that the inquest was held under statute law (chapter 26, § 3), coming on then to cite the authority as laid down in the statute.

He did not understand there was any question that the inquest was made in violation of the laws of the Commonwealth. The inference is that the inquest may be of a strictly private nature, or it may not, as the language is that any or all persons besides the one testifying may be excluded.

The evidence is not, clearly not, in the nature of a confession, but of a denial. There is a difference between confession and statements which may be taken as evidence of guilt.

In the case of Commonwealth versus Piper, the Government offered the testimony of the pastor of the church in which the murder of Mabel Young took place. It appeared that the prisoner was induced to make statements which he might not have made otherwise, and while under the effect of those inducements he had a conversation with the clergyman; there was a struggle over the admissibility of the testimony of the clergyman, but it was finally admitted, the court holding that the evidence was admissible.

The precise question is, is there anything in the stipulation of the facts which takes this case out of the rule that declarations of the defendant are admissible?

The rule that a prisoner could not be compelled to testify against himself, counsel held, did not apply to voluntary admissions.

New York Cases Cited.

There is only one State (New York) where the matter had been fully discussed, and in People vs. Henderson. In that case it appeared that the testimony offered was, as here, denial and confession. In that case, as here, the accused was not under arrest nor under suspicion.

Another New York case was cited where a man was informed that he was under suspicion and was cautioned about his evidence, and the Court admitted his testimony.

The last case was one where the Court of Appeals held that the prisoner had been arrested without a warrant, ignorant of English and his rights, and not being cautioned, his evidence was not allowed.

The line is drawn upon the fact as to whether the prisoner was under arrest or not. If this Borden case were in the State of New York the evidence would be admissible.

Miss Borden Taken Ill.

At this point Miss Borden was obliged to leave the room because of sudden indisposition.

Mr. Moody held that where the defendant is the subject of the prosecution, unknown to himself, and makes a statement of his knowledge of the case, and is afterwards placed under arrest, that his previous evidence may be used, judging from outside authorities.

Mr. Borden occupied about three-quarters of an hour with his arguments and citing of precedents.

Mr. Robinson, in reply, said it was not a question to-day whether in times past departures were taken, but whether they were taken wrongfully. He hoped the court would not take any chances resting upon passing notice of other courts.

He stood to-day upon the rights of this defendant at this hour, no matter what had been done in the past. We must not lose sight of the facts in this case.

The murder was placed under police guard practically Aug. 6, and there was no time when the eyes of the police were not on these people, and the defendant knew the police were around her.

The defendant was summoned Aug. 9. Before testifying she requested that her counsel be present, and the request was refused. She stood alone

three days, confronted by the District-Attorney, watched by the City Marshal and at all times surrounded by the police.

She was not cautioned at any time. She was summoned on or before Aug. 9, but the Court will see that complaint was made out on the 31st of August. The complaint was in due form on that day and she was brought into court practically under arrest. Complaint was made and a warrant issued for her arrest before the inquest. The City Marshal held the warrant during all the time she testified. Can any one say she had not been proceeded against?

The City Marshal stood at her shoulder authorized to make an arrest at any moment. We must assume this was done under the direction of the District-Attorney. It was not done at random. When the evidence was concluded she was not allowed to depart, but was placed under arrest. And when she went before the District Court she went on another warrant, and the law officers of the county know it. It was an evasion of the law, and may operate to deprive her of her rights.

She was placed in the custody of the City Marshal, he with his hands on her shoulder, she a woman who could not run. That went on for three days. She was denied her counsel; neglected, so far as the District Court or the District-Attorney were concerned, with no one to tell of her rights. If that is freedom, then God save the Commonwealth of Massachusetts. If that is voluntary testimony, then compulsory must hereafter be unknown.

THE INQUEST TRICK.

The inquest was not to discover whether a crime was committed or not, but its use and power were devoted to extorting from the defendant something which could be made useful.

The Government knew these murders had been committed by somebody, possibly by some one else, was the District-Attorney to determine by whom? Yes, but not by dragging from her facts in such a manner.

She was not examined to find out whether she had done these murders, because they had already sworn she had done it. They put that warrant in their pocket and say, "If we get anything out of her, well put it away."

That was worse than burning a dress, said Mr. Robinson. "Lizzie Borden stands on the Constitution of this Commonwealth, and when the bill of rights says no person shall testify against himself, she stands on that. The shield of the State and the shield of the nation are her protection in this hour."

In this case, Miss Borden was in charge, she had been proceeded against and the warrant issued, and the City Marshal was "dejected," not "permitted," to arrest her. There was very little authority for the proceedings against this woman. Had she been told what she ought to have been told she would not have testified.

Mr. Moody, replying, characterized Mr. Robinson's arguments as "magnificent, but not law."

THE DEFENSE SUSTAINED.

The Court decided, after hearing all the arguments, that the testimony given by Lizzie Borden at the inquest should be excluded on the trial.

FRANK DAVIS PLEADS GUILTY.

The "Clever Burglar Remanded for Sentence To-Morrow."

Frank Davis, alias Frank Sinclair, the clever burglar who, for several months, kept the police guessing as to who committed the series of robberies which occurred in the district bounded by Twenty-third street, Fifty-fifth street, Fourth and Sixth avenues to-day pleaded guilty to two indictments before Judge Cowing, in General Sessions, and was remanded for sentence to-morrow.

Davis acknowledged his guilt on the advice of his counsel, Lawyer Burleigh. Davis was caught on the night of June 1, while coming out of the house of President Arthur B. Graves, of the St. Charles Bank, 7 East Fifty-fifth street. It required twenty-five of Inspector McLaughlin's hawkbaws to run Davis and his cohorts, who were armed with a sawed-off shotgun, from the house he had been surrounded.

While at Police Headquarters Davis, as told exclusively in the "Evening World," attempted suicide by breaking up a brass suspender buckle and swallowing the pieces.

The indictments, to which Davis pleaded guilty, were found on complaint. Davis was caught on the night of June 1, while coming out of the house of President Arthur B. Graves, of the St. Charles Bank, 7 East Fifty-fifth street. The loss is pretty well covered by insurance.

The fireboat New Yorker was pouring six streams of water on the smoldering ruins all morning.

FAIR HOTEL SCHEME FAILS.

"Harvey" Enterprises in Chicago Spoiled by a Newspaper Article.

CHICAGO, June 12.—A receiver was appointed this morning for the Harvey World's Fair Hotel and the Harvey Home Improvement Company.

Water Towers Mills is the principal creditor. The assets of the Home Improvement Company are scheduled at \$141,500 and the liabilities at \$69,000. Assets of the Hotel Company, \$85,000, with \$90,000 liabilities. The failure is the result of an article which appeared in the Union Spout, the official organ of the W. C. T. U., charging Mills with irregularities in conducting the hotel scheme, which was run by subscriptions to printing certificates, subscribed for chiefly by temperance people.

WALKED IN WITH TYPHUS.

A Vagrant Enters Bellevue Hospital and Is Hurried Away.

Carl I. Sener, a vagrant, thirty-seven years old, was sent to North Brother Island this morning, suffering from typhus fever.

He walked into Bellevue Hospital about 8 o'clock and complained of being sick. He was hurried away to the nature of his ailment, and he was sent away without delay.

Firecracker in a Street-Car.

Arthur Herman, a boy of nine years, who lives on Houston street, was in the Jefferson Market Police Court this morning, charged with throwing a lighted firecracker into a street-car on Sixth avenue at Eighth street, which scorched a woman's face. The woman did not appear, however, and the boy was discharged.

MONEY LOANED TO BUY HOUSES.

Repayable monthly, upon an approved security, \$100,000, at 6 per cent, to \$1,000, at 7 per cent.

OVERHAULING THE CAPITOL.



"The overhauling of its lifetime is what the Capitol is to have."—Architect Clark, in this morning's "World."

FIREMEN'S EYES INJURED.

Fifty-Had to Go to the Hospital for Treatment.

Pungent Smoke at Hobby's Son's Big Storage-House Fire.

The big storage house of J. H. Hobby's Son which occupied a large part of the western end of the block bounded by Clinton, South, Water and Montgomery streets in a mass of smoking ruins this morning.

It was packed full from cellar to roof with bales of tobacco, rolls of printing paper, spices, tea, rattans and miscellaneous merchandise, and the firemen had a hard struggle to subdue the flames.

As many as fifty firemen were taken to Gouverneur Hospital, where it was found they were suffering from acute inflammation of the eyelids and severe headaches.

Some of them were only temporarily disabled, but some of them, it is thought, would not report for duty for a day or two.

Dr. Robertson, of the hospital, said that it had been the busiest day in the history of that institution. It is likely that some of the contents have been saved, but the large number of the town companies in consequence of the fire.

The building is a complete wreck, and nearly all of the contents have been destroyed either by fire or water.

The loss is estimated at \$100,000, but Mr. Hobby, the senior member of the firm, thinks the actual loss is greater. The loss is pretty well covered by insurance.

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GEN. HARRISON OFF FOR CHICAGO.

To Speak at the Opening of the Indiana Building on Thursday.

CHICAGO, June 12.—Ex-President Harrison will arrive in the city to-day and will occupy handsome quarters at the Dakota Hotel, Michigan avenue and Thirtieth street.

He left Indianapolis last night over the Big Four road, and was accompanied by his daughter, Mrs. K. K. Gen. Harrison will spend several days seeing the sights of the Exposition, and during his stay will be the guest of President Harrison.

Gen. Harrison will deliver an address at the dedication of the Indiana Building on Thursday.

CHARLES HARRIS REMANDED.

Wanted in an Embossment Case.

Detective Sergeant Krauch, of the Central Office, brought Charles Harris, twenty-six years old, of 116 Chrystie street, to the Tombs Police Court this morning, and asked Justice Ryan to remand him until to-morrow. The Justice granted the request.

It is said that Harris is wanted in an embossment case, but the detective refused to make any statement.

WOOD GETS OVER FOUR YEARS.

The Ex-"Napoleon" Goes to Sing Sing for Extortion.

Charles Hahr, otherwise known as "Napoleon" Wood, who pleaded guilty to a charge of extortion, was to-day sentenced to State prison by Recorder Smith in Part II of the General Sessions for four years and six months.

He induced Harlem school children to join a band, and then extorted money from their mothers under threats to arrest the young culprits.

STEAMER YACK SAFE.

World's Fair Excursionists All Right After a Gale.

CLEVELAND, June 12.—The passenger steamer Yack, which left Buffalo Saturday night with a large excursion party for the World's Fair, and which was reported as having foundered last night, arrived here safely this morning at 9 o'clock.

The vessel encountered a heavy gale soon after leaving Buffalo and put to sea yesterday morning with the storm unopposed. All on board are safe and well and will proceed to Chicago to-day.

\$850,000 FAILURE IN CHICAGO.

The C. F. Kellogg Clothing Company Makes an Assignment.

CHICAGO, June 12.—The assignment of the C. F. Kellogg Clothing Company is the first serious commercial failure Chicago has had in its history.

The liabilities are \$850,000.

The Title and Trust company has been appointed receiver.

Mrs. Perry Returns from Europe.

The famous Mrs. Perry, who arrived in New York from Liverpool, June 3, had among her passengers Mrs. Elbridge T. Gerry and Miss E. J. Gerry. E. Arriving, Andrew B. Perry, alias Richard B. Perry, Mackenzie, Rev. Mr. Miller, Mrs. George V. Colver, Mr. and Mrs. O. H. Baker and Thomas D. Williams.

Lizzie Lawlor Gets Three Months.

Lizzie Lawlor, who figured prominently in the case of Marie Hamann against Houdouin Bailey, was arrested on the charge of soliciting by Force and Co., of the Fourteenth Precinct, and Justice Talcott gave her three months at the Essex Market Court this morning.

YOUNG CLAY AT LIBERTY.

Shannon Does Not Appear to Prosecute Him for Theft.

Alleged to Have Taken \$8,000 from the Bookmaker's Vest.

Samuel Clay, the young man who was accused of robbing Thomas Shannon, a bookmaker at the Morris Park race track of \$8,171 at the Kentucky Hotel last September, was released upon his own recognizance by Judge Cowing in Part I of General Sessions this morning.

Shannon, the only witness against him, failed to appear.

Clay was employed as a sheet writer for Shannon and enjoyed the best of terms with him, both having come from Lexington, Ky., where they had known each other for years.

Shannon alleged in swearing out the warrant that Clay and he went to his room together, and that while he was preparing himself for supper Clay had snatched the money from his vest, which he had taken off and laid upon a chair, and disappeared.

Clay returned to his home in Lexington where he has been since March and extruded. He has since been confined to the Tombs prison.

At his first appearance in court he was charged with robbing Shannon, but the District-Attorney's office could not locate him.

It is said that Clay is wanted in an embossment case, but the detective refused to make any statement.

FLORENCE HOLMAN WANTED.

Her Husband Is Under Arrest in Petersburg for Bigamy.

Dr. John T. Nigle, of the Bureau of Vital Statistics, has received a letter from Lawyer J. M. Mullin, of Petersburg, Va., requesting information regarding Florence Holman, of this city.

His letter states that one Charles Decker is under arrest in Petersburg for bigamy, and that in 1881 Decker was married to Florence Holman in New York City. The ceremony was performed by Rev. John J. Brouwer.

Decker at that time was living with his father in New York. Now both of them have their home in Petersburg, where the younger Decker occupies a large house and is a successful business man.

Dr. Nigle says he has no information on the subject.

J. G. BENNETT'S CONDITION.

Still Precarious, but Such as to Encourage His Friends.

PARIS, June 12.—The condition of James Gordon Bennett, although still precarious, is calculated to encourage his friends.

The operation was entirely successful and no complication is expected by Dr. Robin, who never leaves his patient.

Fulstien Cannot Pay Alimony.

Judge McAdam, in the Superior Court to-day, dismissed the order of arrest which was granted against Gustav Fulstien, on a charge preferred by his wife, Anna, whom he married in 1883.

The